

*Tom Cole*

*AS MODIFIED*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To repeal the Volumetric Ethanol Excise Tax Credit.

IN THE SENATE OF THE UNITED STATES, 112th Cong., 1st Sess.

**AMENDMENT NO. 436**

By Coburn

T To: S. 702

Re \_\_\_\_\_

Page(s) 3

GPO: 2010 63-070 (mac)

AMENDMENT intended to be proposed by Mr. COBURN (for himself and Mrs. FEINSTEIN)

Viz:

1 At the end, add the following:

2 SEC. \_\_\_\_ . REPEAL OF VEETC.

3 (a) SHORT TITLE.—This section may be cited as the  
4 “Ethanol Subsidy and Tariff Repeal Act”.

5 (b) REPEAL OF VEETC.—

6 (1) ELIMINATION OF EXCISE TAX CREDIT OR  
7 PAYMENT.—

8 (A) Section 6426(b)(6) of the Internal  
9 Revenue Code of 1986 is amended by striking  
10 “December 31, 2011” and inserting “the later  
11 of June 30, 2011, or the date of the enactment

*Reading*

1 of the Ethanol Subsidy and Tariff Repeal  
2 Act)".

3 (B) Section 6427(e)(6)(A) of such Code is  
4 amended by striking "December 31, 2011" and  
5 inserting "the later of June 30, 2011, or the  
6 date of the enactment the Ethanol Subsidy and  
7 Tariff Repeal Act".

8 (2) ELIMINATION OF INCOME TAX CREDIT.—  
9 The table contained in section 40(h)(2) of the Inter-  
10 nal Revenue Code of 1986 is amended—

11 (A) by striking "2011" and inserting "the  
12 later of June 30, 2011, or the date of the en-  
13 actment of the Ethanol Subsidy and Tariff Re-  
14 peal Act", and

15 (B) by adding at the end the following:  
"After such date ..... zero zero".

16 (3) REPEAL OF DEADWOOD.—  
17 (A) Section 40(h) of the Internal Revenue  
18 Code of 1986 is amended by striking paragraph  
19 (3).

20 (B) Section 6426(b)(2) of such Code is  
21 amended by striking subparagraph (C).

22 (4) EFFECTIVE DATE.—The amendments made  
23 by this subsection shall apply to any sale, use, or re-

1 removal for any period after the later of June 30,  
 2 2011, or the date of the enactment of the Act.

3 (c) REMOVAL OF TARIFFS ON ETHANOL.—

4 (1) DUTY-FREE TREATMENT.—Chapter 98 of  
 5 the Harmonized Tariff Schedule of the United  
 6 States is amended by adding at the end the fol-  
 7 lowing new subchapter:

“Subchapter XXIII  
 Alternative Fuels

Head- ing/ Sub- heading	Article Description	Rates of Duty		
		1		2
		General	Special	
9828.01.01	Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses .....	Free	Free	20%*

8 (2) CONFORMING AMENDMENTS.—Subchapter I  
 9 of chapter 99 of the Harmonized Tariff Schedule of  
 10 the United States is amended—

11 (A) by striking heading 9901.00.50; and

12 (B) by striking U.S. notes 2 and 3.

13 (3) EFFECTIVE DATE.—The amendments made  
 14 by this subsection apply to goods entered, or with-  
 15 drawn from warehouse for consumption, on or after  
 16 the later of June 30, 2011, or the date of the enact-  
 17 ment of this Act.